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<b>TRANSMITTAL FORM</b>  (to be used for all correspondence after initial filing)	Application Number	10/578,334-Conf. #5694	
	Filing Date	May 4, 2006	
	First Named Inventor	Kyung-Goo KANG	
	Art Unit	1796	
	Examiner Name	T. N. Nguyen	
Total Number of Pages in This Submission	11	Attorney Docket Number	1599-0326PUS1

**ENCLOSURES (Check all that apply)**

<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Response to Notice Of Non-Compliant Amendment	
<table border="1"><tr><td>Remarks</td></tr></table>			Remarks
Remarks			

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Firm Name	BIRCH, STEWART, KOLASCH & BIRCH, LLP		
Signature			
Printed name	Craig A. McRobbie		
Date	OCT 21 2008	Reg. No.	42,874



Docket No.: 1599-0326PUS1  
(PATENT)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:  
Kyung-Goo KANG et al.

Application No.: 10/578,334

Confirmation No.: 5694

Filed: May 4, 2006

Art Unit: 1796

For: FUNGICIDAL MICROEMULSION

Examiner: T. N. Nguyen

**RESPONSE TO NOTICE OF NON-COMPLIANT AMENDMENT**

MS Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**INTRODUCTORY COMMENTS**

In response to the Examiner's Notice of Non-compliant Amendment dated October 10, 2008, Applicant respectfully resubmits the amended claim set with correct listing of claims in connection with the above-identified application.

**This reply includes**

**Amended Claim Set with Correct Listing of Claims; and  
Remarks.**